<u>**AMENDMENTS TO THE SPECIFICATION**</u>

Please replace the paragraph at page 5, line 1, with the following rewritten paragraph:

The dielectric layer may further comprise M3 (provided that M3 is at least one element selected from Al, Ga, Mg, Zn, Ta, Ti, Ce, In, Sn, Te, Nb, Cr, Bi, Al, ~~Cr,~~ Ge, N and C).

Please replace the paragraph at page 7, line 12, with the following rewritten paragraph:

Also, the sputtering target used in forming dielectric layer may further comprise M3 (provided that M3 is at least one element selected from Al, Ga, Mg, Zn, Ta, Ti, Ce, In, Sn, Te, Nb, Cr, Bi, Al, ~~Cr,~~ Ge, N and C).

Please replace the paragraph at page 15, line 1, with the following rewritten paragraph:

Moreover, in addition to M1 and O, a material that further includes M3 (provided that M3 is at least one element selected from Al, Ga, Mg, Zn, Ta, Ti, Ce, In, Sn, Te, Nb, Cr, Bi, Al, ~~Cr,~~ Ge, N and C) can also be used in second dielectric layer 106. Among these, it is preferable to include D (provided that D is at least one compound selected from Al_2O_3, Ga_2O_3, MgO, ZnO, Ta_2O_5, TiO_2, CeO_2, In_2O_3, SnO_2, TeO_2, Nb_2O_5, Cr_2O_3, Bi_2O_3, AlN, Cr–N, Ge–N, Si_3N_4 and SiC). In addition, when the composition of second dielectric layer 106 is represented by the composition formula $M1_cM3_dO_{100-c-d}$ (atom %), c and d and c+d are preferably in the ranges $5 < c < 45$, $0 < d < 85$ and $25 < c+d < 95$, respectively, and are more preferably in the ranges $8 < c < 39$, $1 < d < 77$ and $26 < c+d < 90$, respectively. Additionally, when the composition of second dielectric layer 106 is represented by the composition formula $(M1_2O_3)_y(D)_{100-y}$ (mol%), y is preferably in the range $20 \leq y \leq 95$, and more preferably in the range $30 \leq x \leq 90$.

Please replace the paragraph at page 21, line 33, with the following rewritten paragraph:

First recording layer 204 is constituted from a material that undergoes a phase-change between a crystalline phase and an amorphous phase due to irradiation with laser beam 11. First recording layer 204 can be formed, for example, from a material that includes Ge, Te, or M4 and that undergoes a reversible phase-change. Specifically, first recording layer ~~104~~204 can be

formed from a material that can be represented by the composition formula $Ge_AM4_BTe_{3+A}$, that has a favorable recording shelf-life with a low transfer rate in a stable amorphous phase, and a favorable overwriting shelf-life with an elevated melting point and a high transfer rate with little reduction in the crystallization speed, where it is desirable to satisfy the relationship $0 < A \leq 60$, and it is more preferable to satisfy the relationship $4 \leq A \leq 40$. Moreover, for the amorphous phase to be stable and to have little reduction in the crystallization speed, it is preferable to satisfy the relationship $1.5 \leq B \leq 7$, and it is more preferable to satisfy the relationship $2 \leq B \leq 4$.

Please replace the paragraph at page 24, line 32, with the following rewritten paragraph:

Next, a film of first reflective layer ~~108~~208 is formed over adjustable transmittance layer 209. First reflective layer ~~108~~208 can be formed in substantially the same manner as for second reflective layer 108 in Embodiment 1.

Please replace the paragraph at page 36, line 21, with the following rewritten paragraph:

Here, the resistance value when first recording layer 41 is in the amorphous phase is r_{a1}, the resistance value when first recording layer 41 is in the crystalline phase is r_{c1}, the resistance value when second recording layer 42 is in the amorphous phase is r_{a2}, and the resistance value when second recording layer 42 is in the crystalline phase is r_{c2}. Here, with $r_{c1} \leq r_{c2} < r_{a1} < r_{a2}$ or $r_{c1} \leq r_{c2} < r_{a2} < r_{a1}$ or $r_{c2} \leq r_{c1} < r_{a1} < r_{a2}$ or $r_{c2} \leq r_{c1} < r_{a2} < r_{a1}$, four different values can be determined for the sums of the resistance values for first recording layer 41 and second recording layer 42, $r_{a1}+r_{a2}$, ~~$r_{a1}+r_{a2}$~~ $r_{a1}+r_{c2}$, $r_{a2}+r_{c1}$ and $r_{c1}+r_{c2}$. Consequently, by measuring the resistance value for the electrode gap with resistance meter 46, four different statuses and thus two information values can be detected at one time.